

## PROSKAUER ROSE LLP

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CUSTOMER NO: 61263

Date May 7, 2007 Attorney Docket No. 53951-168

Total Pages (Including Cover) 8

From Mark A. Catan/Karen Hieronymus

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### Fax Transmittal

Sender's Room Number DC

Main Fax Number 202.416.6899

To: U.S. PATENT & TRADEMARK OFFICE

Fax No.: 571-270-9774

Message

### OFFICIAL COMMUNICATION

RE: U.S. Application No. 10/578,600  
Filing Date: May 8, 2006  
First Named Inventor: James M. Brugger  
Art Unit: To Be Assigned  
Examiner: To Be Assigned

### SUBMITTED PAPERS:

- CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8 FORM PTO/SB/97 (1 page)
- TRANSMITTAL FORM (1 page)
- FEE TRANSMITTAL (1 page)
- TRANSMITTAL TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (2 pages)
- PETITION TO PCT LEGAL DEPARTMENT (2 pages)

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PTO/SB/97 (09-04)

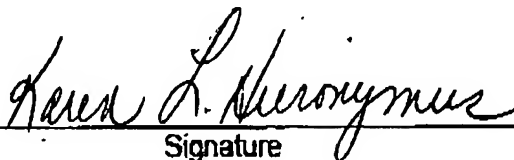
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on May 7, 2007  
Date

  
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**IDENTIFIED SUBMITTED PAPERS RE: APPLN NO. 10/578,600:**

- TRANSMITTAL FORM (1 page)
- FEE TRANSMITTAL (1 page)
- TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (2 pages)
- PETITION TO PCT LEGAL DEPARTMENT

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

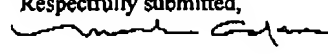
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

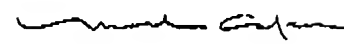
<h1 style="margin: 0;">TRANSMITTAL FORM</h1>	Application Serial Number	10/578,600
	Filing Date	May 8, 2006
	First Named Inventor	James BRUGGER
	Group Art Unit	To Be Assigned
	Examiner Name	To Be Assigned
	Attorney Docket No.	53951-168
	Patent No.	Not applicable
	Issue Date	Not applicable

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <div style="margin-left: 20px;"> <input type="checkbox"/> Check Attached  <input type="checkbox"/> Copy of Fee Transmittal Form           </div> <input type="checkbox"/> Amendment/Response <div style="margin-left: 20px;"> <input type="checkbox"/> Preliminary  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets <span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>]           </div> <input type="checkbox"/> Petition for Extension of Time (1/2/3 months)  <input type="checkbox"/> Information Disclosure Statement <div style="margin-left: 20px;"> <input type="checkbox"/> Form PTO-1449  <input type="checkbox"/> Copies of IDS Citations           </div> <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Sequence Listing submission <div style="margin-left: 20px;"> <input type="checkbox"/> Paper Copy/CD  <input type="checkbox"/> Computer Readable Copy  <input type="checkbox"/> Statement verifying identity of above           </div>	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)  <input type="checkbox"/> Formal Drawing(s)  <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal  <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application  <input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> CD(s) for large table or computer program  <input type="checkbox"/> Amendment After Allowance	<input type="checkbox"/> Request for Certificate of Correction <div style="margin-left: 20px;"> <input type="checkbox"/> Certificate of Correction (in duplicate)           </div> <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences  <input type="checkbox"/> Appeal Brief (in triplicate)  <input type="checkbox"/> Status Inquiry  <input type="checkbox"/> Return Receipt Postcard  <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8  <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) Transmittal Letter to the United States Designated/Elected Office Petition to the PCT Legal Department

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: PATENT ADMINISTRATOR Proskauer Rose LLP 1001 Pennsylvania Ave., N.W. Suite 400 Washington, D.C. 20004 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899 CUSTOMER NO: 61263	<div style="display: flex; justify-content: space-between;"> <div>           Date: May 7, 2007            Reg. No.: 38,720            Tel. No.: (202) 416-6800            Fax No.: (202) 416-6899         </div> <div>           Respectfully submitted,              Mark A. Catan            Attorney for the Applicant(s)            Proskauer Rose LLP            1001 Pennsylvania Ave., N.W.            Suite 400            Washington, D.C. 20004         </div> </div>

FEE TRANSMITTAL FY 2006					Complete if Known																																																																																											
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<input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-3840 <input checked="" type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.					<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Large Entity Fee (\$)</th> <th style="width: 15%;">Small Entity Fee (\$)</th> <th style="width: 55%;">Fee Description</th> <th style="width: 15%;">Fee Paid</th> </tr> </thead> <tbody> <tr> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>2,520</td> <td>2,520</td> <td>Request for ex parte re-examination</td> <td></td> </tr> <tr> <td>120</td> <td>60</td> <td>Extension for reply within 1<sup>st</sup> mo.</td> <td></td> </tr> <tr> <td>450</td> <td>225</td> <td>Extension for reply within 2<sup>nd</sup> mo.</td> <td></td> </tr> <tr> <td>1,020</td> <td>510</td> <td>Extension for reply within 3<sup>rd</sup> mo.</td> <td></td> </tr> <tr> <td>1,590</td> <td>795</td> <td>Extension for reply within 4<sup>th</sup> mo.</td> <td></td> </tr> <tr> <td>2,160</td> <td>1,080</td> <td>Extension for reply within 5<sup>th</sup> mo.</td> <td></td> </tr> <tr> <td>500</td> <td>250</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>500</td> <td>250</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1,000</td> <td>500</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>400</td> <td>0</td> <td>Petitions to the Director</td> <td></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of IDS</td> <td></td> </tr> <tr> <td>790</td> <td>395</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>790</td> <td>395</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>100</td> <td>100</td> <td>Certificate of Correction for applicant's error</td> <td></td> </tr> <tr> <td>130</td> <td>65</td> <td>Submission of Terminal Disclaimer</td> <td></td> </tr> <tr> <td colspan="2"></td> <td>Other fee (Specify) _____</td> <td>Petition Fee \$400.00</td> </tr> <tr> <td colspan="2"></td> <td>Other fee (Specify) _____</td> <td></td> </tr> <tr> <td colspan="2" style="text-align: right;"><b>4. TOTAL:</b></td> <td colspan="2"></td> </tr> </tbody> </table>				Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte re-examination		120	60	Extension for reply within 1 <sup>st</sup> mo.		450	225	Extension for reply within 2 <sup>nd</sup> mo.		1,020	510	Extension for reply within 3 <sup>rd</sup> mo.		1,590	795	Extension for reply within 4 <sup>th</sup> mo.		2,160	1,080	Extension for reply within 5 <sup>th</sup> mo.		500	250	Notice of Appeal		500	250	Filing a brief in support of an appeal		1,000	500	Request for oral hearing		400	0	Petitions to the Director		180	180	Submission of IDS		790	395	Filing a submission after final rejection (37 CFR 1.129(a))		790	395	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		130	65	Submission of Terminal Disclaimer				Other fee (Specify) _____	Petition Fee \$400.00			Other fee (Specify) _____		<b>4. TOTAL:</b>			
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<b>3. APPLICATION SIZE FEE</b> If the specification and drawing exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).																																																																																																
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Direct all correspondence to: PATENT ADMINISTRATOR Proskauer Rose LLP 1001 Pennsylvania Avenue, N.W., Suite 400 Washington, D.C. 20004 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899 CUSTOMER NO: 61263																																																																																																
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					Respectfully submitted,  Date: May 7, 2007 Reg. No.: 38,720 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899 Mark A. Catan Attorney for the Applicant(s) Proskauer Rose LLP 1001 Pennsylvania Ave., N.W., #400 Washington, D.C. 20004																																																																																											
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Express Mail Label No.:

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> 63951-168
		<b>U.S. APPLICATION NO. (if known, see 37 CFR 1.5)</b>
<b>INTERNATIONAL APPLICATION NO.</b> PCT/US2004/036833	<b>INTERNATIONAL FILING DATE</b> 05 November 2004	<b>PRIORITY DATE CLAIMED</b> 07 November 2003
<b>TITLE OF INVENTION</b> IMPROVED METHODS AND APPARATUS FOR LEAK DETECTION IN BLOOD PROCESSING SYSTEMS		
<b>APPLICANT(S) FOR DO/EO/US</b> JAMES BRUGGER, CHRISTOPHER MCDOWELL		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office(RO/US)</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;">d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the Inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 38 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or a address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13 ter.2 and 35 U.S.C. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce,

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>TO BE ASSIGNED</b>		INTERNATIONAL APPLICATION NO. PCT/US2004/036938		ATTORNEY'S DOCKET NUMBER 63951-168US NAT'L	
21. <input checked="" type="checkbox"/> The following fees are submitted:  BASIC NATIONAL FEE (37 CFR 1.492(e) (1) - (5)):  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report prepared by the EPO or JPO .....\$1110.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....\$850.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....\$760.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....\$750.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....\$100.00				CALCULATIONS      PTO USE ONLY	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$1,000.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	- 20 =		x \$18.00	\$	
Independent Claims	- 3 =		x \$88.00	\$	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$300.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$1,000.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL =				\$1,000.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$1,000.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>16-2500</u> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>16-2500</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.484 or 1.485 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Proskauer Rose LLP 1001 Pennsylvania Avenue, N.W. Suite 400 South Washington, D.C. 20004 CUSTOMER NO: 61263			SIGNATURE  <u>MARK A. CATAN</u> NAME  <u>38,720</u> REGISTRATION NUMBER		

Docket No. (AMENDED): 53951-168

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: James BRUGGER, et al.	)	Confirmation No:
	)	
Application No.: 10/578,600	)	Group Art Unit: Unassigned
	)	
Filed: MAY 8, 2006	)	Examiner: Unassigned

For: IMPROVED METHODS AND APPARATUS FOR LEAK DETECTION IN BLOOD PROCESSING SYSTEMS

United States Patent and Trademark Office  
Customer Service Window, Mail Stop PCT  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia 22314

**TO PCT LEGAL DEPARTMENT**  
**PETITION UNDER RULE 1.182**  
**FOR CORRECTION OF TRANSMITTAL LETTER (PTO-1390)**  
**TO THE UNITED STATES/DESIGNATED/ELECTED OFFICE**  
**CONCERNING SUBMISSION UNDER 35 U.S.C 371**

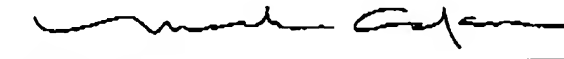
Sir:

This is a petition to request correction of the transmittal identified above which incorrectly identified the International Application Number, the Priority Date Claimed and that this was a First submission and the Amendments to the claims of the International application as filed. The attached transmittal correctly identifies the International Application as PCT/US2004/036933, the Priority Date Claimed is 07 November 2003, this is a First submission. The original filing with the incorrect transmittal letter originally included a copy of the published PCT application which correctly identified the PCT application and the Priority Date Claimed. Favorable decision on this petition is hereby requested.

The Commissioner is hereby authorized by this paper to charge any fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-3840

Date: May 7, 2007  
**Proskauer Rose LLP**  
1001 Pennsylvania Avenue, NW  
Suite 400  
Washington, DC 20004  
Telephone: 202.416.6800  
Facsimile: 202.416.6899  
CUSTOMER NO: 61263

Respectfully submitted,



Mark A. Catan.  
Attorney for Applicant  
Reg. No.: 38,720  
Customer No. 61263